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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/641,338	08/18/2000	Kazuaki Kidokoro	016907/1110	7200

22428 7590 04/05/2005

FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

RAHIMI, IRAJ A

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/641,338	Applicant(s) KIDOKORO ET AL.	
	Examiner (Iraj) Alan Rahimi	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on October 14, 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,7,9 and 11 is/are rejected.
- 7) ☒ Claim(s) 2,4,6,8 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. In papers filed on October 14, 2004, applicant amended claims 1-12.

Response to Arguments

2. Applicant's arguments filed on October 14, 2004 have been fully considered but they are not persuasive. Applicant argues that prior art, Maniwa does not disclose the limitations of the amended claim for outputting a processing result of processing associated with a designation button, thereby executing processing in accordance with the verification result based on the processing result. Furthermore, Maniwa does not disclose or suggest a controller that cancels information read by the scanner when cancellation of second processing is instructed after executing first processing, and which the controller executes the second processing when execution of the first processing is instructed. Examiner disagrees and submits the following rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3, 5, 7, 9 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Maniwa (US patent 5,764,866).

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Regarding claim 1, Maniwa discloses an image processing apparatus comprising:

a scanner 14 which reads an image from a document;

a designation button which associates first processing in which an image of a document is read by the scanner with second processing performed with respect to the image read by the scanner;

an input section (touch panel 18) which sets output contents in association with the designation button, based on which the information read by the scanner in the first processing is printed by a printer;

a controller which controls execution of the first processing and second processing preset for the designation button when the designation button is operated (column 16, lines 11-39); and

an output section which outputs the information read by the scanner in the first processing to the printer in accordance with the output contents which are set by the input section means, when the first processing and second processing preset for the designation button is executed by the controller (column 15, lines 40-51),

wherein the controller cancels the information read by the scanner when cancellation of the second processing is instructed after executing the first processing, and the controller executes the second processing when execution of the second processing is instructed (column 15, lines 52-54). Repeating scan operation if the first scan image is inappropriate is inherently equal to canceling the print operation. It would also be inherent that if rescanning is not required that means that scanning is done satisfactorily and printing operation will be completed according to the scan file.

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Regarding claim 3, Maniwa discloses an image processing apparatus according to claim 1, wherein said input section includes a setting button used for confirming whether or not the second processing performed with respect to the image read by the scanner should be continued after the image that is read by the scanner under control performed by the controller is output (column 17, lines 49-52).

Regarding claims 5 and 9, arguments analogous to those presented for claim 1, are applicable. Maniwa also discloses a digital copier 4, which also has printer for forming image.

Regarding claim 7 and 11, arguments analogous to those presented for claim 3, are applicable.

Allowable Subject Matter

5. Claims 2, 4, 6, 8, 10 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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7. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Iraj) Alan Rahimi whose telephone number is 703-306-3473. The examiner can normally be reached on Mon.-Fri. 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L Coles can be reached on 703-305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

Alan Rahimi
March 24, 2005


TWYLER LAMB
PRIMARY EXAMINER